IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 10483 of 1999

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Between:

1. Kamireddy Nookayya S/o. Nagaiah R/o. Pollappu Chamavaram, Sankavaram Mandal, East Godavari District.

2. Kamireddy Che nnayamma W/o. Nagaiah, R/o. P. Chamavaram Sankhavaram Mandal, East Godavari District.

..... PETITIONER

AND

-

1. The District Collector, East Godavari District, Kakinada.

2. The Revenue Divisional Officer, Peddapuram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the proceedings in Ref No.G2/2186/99, dated 29th March, 1999, issued by the 1st Respondent under Section 4(1) of Act-1 of the 1894 as amended by Act XXXVIII of 1923 and by the A.P. Amendment Act 12/76 and Amendment Act 68/84 for acquisition of the lands of the petitioners herein in survey Nos.69/2 admeasuring 50 cents and Ac.1.20 cents in survey No.71/4, situated at P. Chamavaram, Sankhavaram Mandal, East Godavari District as illegal and arbitrary and unjust by issuing any appropriate writ, order or direction.

Counsel for the Petitioner: MR.M.V.S.SURESH KUMAR

Counsel for Respondents: GP FOR REVENUE

The Court made the following ORDER:

The first petitioner claims to be the absolute owner of small extents of land admeasuring Acs.1.20 in S.No.71/4, Acs.0.35 in S.No.71/5 and Acs.0.31 in S.No.71/9 and the second petitioner is the owner of the land admeasuring Acs.1.15 in S.No.69/2 of P. Chamavaram village, Sankhavaram Mandal, East Godavari District. They challenged the notification issued under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act') wherein the land was proposed to be acquired for the purpose of providing house sites. This court admitted the writ petition and passed orders staying the dispossession.

In the counter affidavit filed by the Revenue Divisional officer, it is stated that after issuance of notification, a representation was made by the beneficiaries as well as the land owners and that considering the same, steps are being initiated to withdraw the acquisition proceedings and to find a suitable land for providing house sites.

The same is recorded and the Writ Petition is accordingly disposed of. No costs.

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V.V.S. RAO, J.

09th August, 2004

Js

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, East Godavari District, Kakinada.
2. The Revenue Divisional Officer, Peddapuram.

3. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad. (OUT)

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